



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2335

DATE SCANNED 9/9/11

SCANNER NO. 2

SCAN OPERATOR SES

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 10, 2011

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer  
Acting Staff Director

FROM: Patricia Carmona *PC*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Jodi Winslip/Sari Pickerall *JP*  
Compliance Branch

SUBJECT: Withdrawal and Resubmission of Reason To Believe Recommendation -  
2010 12 Day Pre-General Report (Unauthorized Quarterly Filers) for the  
Administrative Fine Program

We are withdrawing the document circulated to the Commission on March 9, 2011 in order to remove a monthly filing committee which was included on the list in error. The committee was previously included on the Reason to Believe Recommendation for the 2010 12 Day Pre-General Report (Unauthorized Monthly Filers) which was approved by the Commission on February 2, 2011.

Attached is a list of political committees and their treasurers who failed to file or timely file the 2010 12 Day Pre-General Report in accordance with 2 U.S.C. § 434(a). The list is comprised of unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2010 through October 13, 2010, and failed to file or timely file the 2010 12 Day Pre-General Report.

The committees appearing on the 2010 12 Day Pre-General Report list failed to file the report prior to four (4) days before the General Election (considered a non-filed report). In accordance with 11 C.F.R. § 111.43, these committees should be assessed the civil money penalties indicated in the attachments.

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As noted above, the 2010 12 Day Pre-General Report circulation list includes unauthorized quarterly filers that made General Election contributions or expenditures from October 1, 2010 through October 13, 2010, but failed to file or timely file the 2010 12 Day Pre-General Election report. In order to accurately identify these committees for administrative fine purposes, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 12 Day Pre-General Report (12G) submitted by an unauthorized quarterly filer was reviewed to ensure that it disclosed General Election contributions or expenditures made during the coverage dates of the report. Any report meeting this definition that was filed late is included in the list. Any report not disclosing general election contributions or expenditures during this period is not included in the list, as it is not a required filing.
- Every 30 Day Post-General Report (30G) submitted by an unauthorized quarterly filer that covered the period from October 1, 2010 through November 22, 2010 (53 days) was reviewed for activity which would have required the filing of a 12G. If our research indicated that a 12G was required, we utilized a three-step method to arrive at the activity on which to base the 12G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 25% (13 days (12G Filing Period)/53 days (30G Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 12G.

#### **Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Reports violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Reports.
2. Send the appropriate letters.

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Federal Election Commission  
Reason to Believe Circulation Report  
2010 PRE-GENERAL Election Sensitive 10/21/2010 UNAUTH\_Q

| AF#  | Committee ID | Committee Name  | Candidate Name | Treasurer              | Threshold   | PV | Receipt Date | Days Late | LOA      | RTB Penalty |
|------|--------------|---|----------------|------------------------|-------------|----|--------------|-----------|----------|-------------|
| 2301 | C00392290    | ACE CASH EXPRESS INC PAC  |                | DAVID DODSON           | \$361,085   | 1  | 1/28/2011    | Not Filed | \$3,612  | \$687       |
| 2302 | C00132092    | ALLIANT ENERGY CORPORATION<br>EMPLOYEE'S POLITICAL ACTION COMM                            |                | KATHRYN J. BARNETT     | \$138,267   | 0  | 11/29/2010   | Not Filed | \$3,338  | \$550       |
| 2303 | C00198259    | AMERICAN ASSN. FOR MARRIAGE & FAMILY THERAPY COMM.<br>ADVNCMT OF MARITAL & FAMILY THERAPY |                | TRACY TODD             | \$148,877   | 0  | 12/10/2010   | Not Filed | \$1,000  | \$550       |
| 2305 | C00161570    | AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC             |                | MICHELLE LYNN CHANDLER | \$197,125   | 1  | 12/7/2010    | Not Filed | \$1,396  | \$687       |
| 2306 | C00177741    | ASPLUNDH TREE EXPERT CO POLITICAL ACTION COMMITTEE (ATE PAC)                              |                | JOSEPH P. DWYER        | \$141,900   | 0  | 12/28/2010   | Not Filed | \$39,600 | \$1,400     |
| 2307 | C00395947    | BARNES & THORNBURG POLITICAL ACTION COMMITTEE   |                | JOHN KOENIG            | \$223,788   | 0  | 11/30/2010   | Not Filed | \$7,606  | \$660       |
| 2308 | C00359588    | BGR PAC   |                | LANNY GRIFFITH         | \$188,393   | 0  | 12/2/2010    | Not Filed | \$2,454  | \$550       |
| 2309 | C00415752    | BORDER HEALTH FEDERAL PAC   |                | ERNIE PEREZ            | \$1,113,002 | 1  | 12/2/2010    | Not Filed | \$7,679  | \$825       |
| 2310 | C00142315    | BOYD GAMING POLITICAL ACTION COMMITTEE  |                | RICK DARNOLD           | \$225,302   | 0  | 12/3/2010    | Not Filed | \$2,700  | \$550       |
| 2311 | C00201863    | MARSTELLERYOUNG & RUBICAM POLITICAL ACTION COMMITTEE                                      |                | M. B. OGLESBY          | \$161,311   | 0  | 11/29/2010   | Not Filed | \$4,500  | \$550       |

| AF#  | Committee ID | Committee Name   | Candidate Name | Treasurer                  | Threshold | PV | Receipt Date | Days Late | LOA      | RTB Penalty |
|------|--------------|--|----------------|----------------------------|-----------|----|--------------|-----------|----------|-------------|
| 2313 | C00455600    | COMMONWEALTH BRANDS INC. EMPLOYEE PAC                                  |                | MARY LOVEALL               | \$233,392 | 0  | 12/2/2010    | Not Filed | \$25,180 | \$1,400     |
| 2314 | C00218172    | CONSERVATIVE VICTORY COMMITTEE   |                | LEIF E. NOREN              | \$505,566 | 0  | 12/6/2010    | Not Filed | \$3,379  | \$550       |
| 2315 | C00407635    | CONSOLIDATED EDISON INC EMPLOYEES' POLITICAL ACTION COMMITTEE (CEIPAC) |                | ROBERT MUCCILO             | \$317,230 | 0  | 12/8/2010    | Not Filed | \$6,100  | \$660       |
| 2316 | C00480228    | CONTINUING AMERICA'S STRENGTH AND SECURITY PAC                         |                | RALPH J. STEPHENS          | \$228,942 | 0  | 1/31/2011    | Not Filed | \$9,640  | \$660       |
| 2317 | C00462630    | COVINGTON AND BURLING LLP PAC  |                | RODERICK A. DEARMONT, ESQ. | \$551,969 | 0  | 12/1/2010    | Not Filed | \$16,574 | \$990       |
| 2318 | C00078535    | DIRECT SELLING ASSOCIATION POLITICAL ACTION COMMITTEE                  |                | JOSEPH N. MARIANO          | \$107,278 | 0  | 1/4/2011     | Not Filed | \$9,500  | \$660       |
| 2319 | C00380303    | EMERGENT BIOSOLUTIONS INC EMPLOYEES PAC                                |                | THOMAS MORAN               | \$325,615 | 0  | 12/3/2010    | Not Filed | \$7,102  | \$660       |
| 2320 | C00462879    | EXPEDIA INC POLITICAL ACTION COMMITTEE                                 |                | BRENT THOMPSON             | \$129,676 | 0  | 12/7/2010    | Not Filed | \$1,012  | \$550       |
| 2321 | C00362178    | FAMILY-PAC FEDERAL   |                | D. PAUL CAPRIO             | \$163,566 | 1  | 12/27/2010   | Not Filed | \$7,331  | \$825       |
| 2322 | C00400317    | FULTON FINANCIAL CORPORATION PAC                                       |                | MICHAEL J. DEPORTER        | \$135,428 | 0  | 12/23/2010   | Not Filed | \$5,208  | \$660       |
| 2323 | C00344754    | GIBSON DUNN & CRUTCHER LLP PAC   |                | CHARLES E. WOODHOUSE       | \$237,752 | 0  | 12/1/2010    | Not Filed | \$5,000  | \$660       |
| 2324 | C00437798    | HEARPAC OF HEARING INDUSTRIES ASSOCIATION                              |                | JEROME RUZICKA             | \$266,830 | 0  | 1/4/2011     | Not Filed | \$3,500  | \$550       |
| 2325 | C00264689    | ILLINOIS POLITICAL ACTIVE LETTER CARRIERS                              |                | JACK HENIFF                | \$169,111 | 0  | 11/24/2010   | Not Filed | \$5,411  | \$660       |
| 2326 | C00082636    | INDIANA DENTAL PAC   |                | RAYMOND MADDOX             | \$179,678 | 0  | 12/3/2010    | Not Filed | \$5,768  | \$660       |
| 2327 | C00084822    | INTERNATIONAL ASSOCIATION OF HOLIDAY INNS INN-PAC                      |                | EVA FERGUSON               | \$181,666 | 0  | 12/2/2010    | Not Filed | \$6,755  | \$660       |

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| AF#  | Committee ID | Committee Name   | Candidate Name | Treasurer         | Threshold | PV | Receipt Date | Days Late | LOA      | RTB Penalty |
|------|--------------|--|----------------|-------------------|-----------|----|--------------|-----------|----------|-------------|
| 2328 | C00382226    | INTERNATIONAL SECURITIES EXCHANGE PAC                                    |                | BRUCE COOPERMAN   | \$125,227 | 0  | 1/5/2011     | Not Filed | \$10,500 | \$990       |
| 2329 | C00136739    | IUOE OPERATING ENGINEERS   |                | JAMES JONES       | \$634,513 | 0  | 12/8/2010    | Not Filed | \$43,040 | \$1,400     |
| 2330 | C00370791    | MAJORITY INITIATIVE TO KEEP ELECTING REPUBLICANS FUND A.K.A MIKE R FUND  |                | ROBERT F. CARLIN  | \$902,801 | 0  | 12/2/2010    | Not Filed | \$32,194 | \$1,400     |
| 2331 | C00086348    | NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC                          |                | MICHAEL F. HARRIS | \$230,759 | 1  | 11/30/2010   | Not Filed | \$4,884  | \$687       |
| 2332 | C00254201    | NATIONAL ASSOCIATION OF MORTGAGE BROKERS                                 |                | RYAN C. RIESTERER | \$146,153 | 0  | 12/2/2010    | Not Filed | \$5,000  | \$680       |
| 2333 | C00450916    | NEW ASURION CORP. EMPLOYEES FEDERAL POLITICAL ACTION COMMITTEE           |                | MIKE AIN          | \$309,448 | 0  | 12/2/2010    | Not Filed | \$2,500  | \$550       |
| 2334 | C00443523    | NEWFIELD EXPLORATION COMPANY POLITICAL ACTION COMMITTEE (NEWFIELD PAC)   |                | SUSAN G. RIGGS    | \$374,665 | 0  | 12/1/2010    | Not Filed | \$42,500 | \$1,400     |
| 2335 | C00347112    | PMI MORTGAGE INSURANCE COMPANY FEDERAL PAC                               |                | RAY CHANG         | \$121,518 | 0  | 12/3/2010    | Not Filed | \$13,000 | \$990       |
| 2336 | C00246736    | SEABOARD CORPORATION POLITICAL ACTION COMMITTEE                          |                | DAVID M. DANNOV   | \$147,906 | 0  | 12/29/2010   | Not Filed | \$2,439  | \$550       |
| 2337 | C00459065    | STINSON MORRISON HECKER POLITICAL ACTION COMMITTEE PAC                   |                | PHILLIP L. FRAAS  | \$177,723 | 0  | 12/8/2010    | Not Filed | \$2,250  | \$550       |
| 2338 | C00278788    | SUFFOLK COUNTY DETECTIVES ASSN INC., POLITICAL ACTION COMMITTEE          |                | WILLIAM RATHJEN   | \$146,579 | 1  | 12/26/2010   | Not Filed | \$15,961 | \$1,237     |
| 2339 | C00009357    | TNE RECORDING INDUSTRY ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE |                | MITCH GLAZIER     | \$221,435 | 0  | 1/10/2011    | Not Filed | \$17,500 | \$990       |

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| AF#  | Committee ID | Committee Name  | Candidate Name | Treasurer          | Threshold   | PV | Receipt Date | Days Late | LOA      | RTB Penalty |
|------|--------------|---|----------------|--------------------|-------------|----|--------------|-----------|----------|-------------|
| 2340 | G00274431    | UNITEDHEALTH GROUP INCORPORATED PAC (UNITED FOR HEALTH)         |                | SUSAN SHERWOOD     | \$1,742,433 | 0  | 12/6/2010    | Not Filed | \$36,619 | \$1,400     |
| 2341 | C00207184    | WATERPAC - NATIONAL RURAL WATER ASSOCIATION POLITICAL COMMITTEE |                | ROBERT JOHNSON     | \$251,677   | 0  | 12/2/2010    | Not Filed | \$6,493  | \$660       |
| 2342 | C00426569    | WESTERN ENERGY ALLIANCE PAC                                     |                | KATHLEEN M. SGAMMA | \$138,702   | 0  | 12/3/2010    | Not Filed | \$3,346  | \$550       |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Withdrawal and Resubmission of Reason )  
To Believe Recommendation - 2010 12 Day )  
Pre-General Report (Unauthorized )  
Quarterly Filers) for the Administrative Fine )  
Program: )  
ACE CASH EXPRESS INC PAC, and ) AF# 2301  
DAVID DODSON as treasurer; )  
ALLIANT ENERGY CORORATION ) AF# 2302  
EMPLOYEE'S POLITICAL ACTION )  
COMM, and BARNETT, KATHRYN J as )  
treasurer; )  
AMERICAN ASSN. FOR MARRIAGE & ) AF# 2303  
FAMILY THERAPY COMM. )  
ADVNCMNT OF MARITAL & FAMILY )  
THERAPY, and TODD, TRACY as )  
treasurer; )  
AMERICAN PUBLIC POWER ) AF# 2305  
ASSOCIATION, PUBLIC OWNERSHIP )  
OF ELECTRIC RESOURCES PAC, and )  
CHANDLER, MICHELLE LYNN as )  
treasurer; )  
ASPLUNDH TREE EXPERT CO ) AF# 2306  
POLITICAL ACTION COMMITTEE )  
(ATE PAC), and DWYER, JOSEPH P as )  
treasurer; )  
BARNES & THORNBURG POLITICAL ) AF# 2307  
ACTION COMMITTEE, and KOENIG, )  
JOHN as treasurer; )  
BGR PAC, and GRIFFITH, LANNY as ) AF# 2308  
treasurer; )  
BORDER HEALTH FEDERAL PAC, and ) AF# 2309  
PEREZ, ERNIE as treasurer; )  
BOYD GAMING POLITICAL ACTION ) AF# 2310  
COMMITTEE, and DARNOLD, RICK as )  
treasurer; )  
BURSON-MARSTELLER/YOUNG & ) AF# 2311  
RUBICAM POLITICAL ACTION )  
COMMITTEE, and OGLESBY, MI B. as )  
treasurer; )

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|                                   |   |          |
|-----------------------------------|---|----------|
| COMMONWEALTH BRANDS INC.          | ) | AF# 2313 |
| EMPLOYEE PAC, and MARY, LOVEALL   | ) |          |
| as treasurer;                     | ) |          |
| CONSERVATIVE VICTORY              | ) | AF# 2314 |
| COMMITTEE, and LEIF E NOREN as    | ) |          |
| treasurer;                        | ) |          |
| CONSOLIDATED EDISON INC           | ) | AF# 2315 |
| EMPLOYEES' POLITICAL ACTION       | ) |          |
| COMMITTEE (CEIPAC), and MUCCILO,  | ) |          |
| ROBERT as treasurer;              | ) |          |
| CONTINUING AMERICA'S STRENGTH     | ) | AF# 2316 |
| AND SECURITY PAC, and STEPHENS,   | ) |          |
| RALPH J. as treasurer;            | ) |          |
| COVINGTON AND BURLING LLP PAC,    | ) | AF# 2317 |
| and DEARMENT, RODERICK A. ESQ. as | ) |          |
| treasurer;                        | ) |          |
| DIRECT SELLING ASSOCIATION        | ) | AF# 2318 |
| POLITICAL ACTION COMMITTEE, and   | ) |          |
| MARIANO, JOSEPH N. as treasurer;  | ) |          |
| EMERGENT BIOSOLUTIONS INC         | ) | AF# 2319 |
| EMPLOYEES PAC, and MORAN,         | ) |          |
| THOMAS as treasurer;              | ) |          |
| EXPEDIA INC POLITICAL ACTION      | ) | AF# 2320 |
| COMMITTEE, and BRENT THOMPSON     | ) |          |
| as treasurer;                     | ) |          |
| FAMILY-PAC FEDERAL, and D PAUL    | ) | AF# 2321 |
| CAPRIO as treasurer;              | ) |          |
| FULTON FINANCIAL CORPORATION      | ) | AF# 2322 |
| PAC, and MICHAEL J DEPORTER as    | ) |          |
| treasurer;                        | ) |          |
| GIBSON DUNN & CRUTCHER LLP        | ) | AF# 2323 |
| PAC, and CHARLES E WOODHOUSE as   | ) |          |
| treasurer;                        | ) |          |
| HEARPAC OF HEARING INDUSTRIES     | ) | AF# 2324 |
| ASSOCIATION, and RUZICKA, JEROME  | ) |          |
| as treasurer;                     | ) |          |
| ILLINOIS POLITICAL ACTIVE LETTER  | ) | AF# 2325 |
| CARRIERS, and HENIFF, JACK MR. as | ) |          |
| treasurer;                        | ) |          |
| INDIANA DENTAL PAC, and MADDOX,   | ) | AF# 2326 |
| RAYMOND as treasurer;             | ) |          |

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INTERNATIONAL ASSOCIATION OF ) AF# 2327  
HOLIDAY INNS INN-PAC, and )  
FERGUSON, EVA MS as treasurer; )  
INTERNATIONAL SECURITIES ) AF# 2328  
EXCHANGE PAC, and COOPERMAN, )  
BRUCE as treasurer; )  
IUOE OPERATING ENGINEERS, and ) AF# 2329  
JAMES JONES as treasurer; )  
MAJORITY INITIATIVE TO KEEP ) AF# 2330  
ELECTING REPUBLICANS FUND A.K.A )  
MIKE R FUND, and CARLIN, ROBERT F )  
as treasurer; )  
NATIONAL ASSOCIATION FOR ) AF# 2331  
UNIFORMED SERVICES PAC, and )  
HARRIS, MICHAEL F. as treasurer; )  
NATIONAL ASSOCIATION OF ) AF# 2332  
MORTGAGE BROKERS, and )  
RIESTERER, RYAN C. as treasurer; )  
NEW ASURION CORP. EMPLOYEES ) AF# 2333  
FEDERAL POLITICAL ACTION )  
COMMITTEE, and AIN, MIKE as )  
treasurer; )  
NEWFIELD EXPLORATION COMPANY ) AF# 2334  
POLITICAL ACTION COMMITTEE )  
(NEWFIELD PAC), and RIGGS, SUSAN )  
G. MRS. as treasurer; )  
PMI MORTGAGE INSURANCE ) AF# 2335  
COMPANY FEDERAL PAC, and )  
CHANG, RAY as treasurer; )  
SEABOARD CORPORATION ) AF# 2336  
POLITICAL ACTION COMMITTEE, and )  
DAVID M DANNOV as treasurer; )  
STINSON MORRISON HECKER ) AF# 2337  
POLITICAL ACTION COMMITTEE PAC, )  
and PHILLIP L FRAAS as treasurer; )  
SUFFOLK COUNTY DETECTIVES ) AF# 2338  
ASSN INC., POLITICAL ACTION )  
COMMITTEE, and WILLIAM RATHJEN, )  
TREASURER as treasurer; )  
THE RECORDING INDUSTRY ) AF# 2339  
ASSOCIATION OF AMERICA )  
POLITICAL ACTION COMMITTEE, and )  
GLAZIER, MITCH as treasurer; )

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UNITEDHEALTH GROUP ) AF# 2340  
INCORPORATED PAC (UNITED FOR )  
HEALTH), and SHERWOOD SUSAN as )  
treasurer; )  
WATERPAC - NATIONAL RURAL ) AF# 2341  
WATER ASSOCIATION POLITICAL )  
COMMITTEE, and JOHNSON, ROBERT )  
as treasurer; )  
WESTERN ENERGY ALLIANCE PAC, ) AF# 2342  
and SGAMMA, KATHLEEN M as )  
treasurer; )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on March 11, 2011 the Commission took the following actions on the Withdrawal and Resubmission of Reason To Believe Recommendation - 2010 12 Day Pre-General Report (Unauthorized Quarterly Filers) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated March 10, 2011, on the following committees:

AF#2301 Decided by a vote of 6-0 to: (1) find reason to believe that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Waither, and Weintraub voted affirmatively for the decision.

AF#2302 Decided by a vote of 6-0 to: (1) find reason to believe that ALLIANT ENERGY CORPORATION EMPLOYEE'S POLITICAL ACTION COMM, and BARNETT, KATHRYN J as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2303 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN ASSN. FOR MARRIAGE & FAMILY THERAPY COMM. ADVNCMNT OF

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MARITAL & FAMILY THERAPY, and TODD, TRACY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2305 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC, and CHANDLER, MICHELLE LYNN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2306 Decided by a vote of 6-0 to: (1) find reason to believe that ASPLUNDH TREE EXPERT CO POLITICAL ACTION COMMITTEE (ATE PAC), and DWYER, JOSEPH P as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2307 Decided by a vote of 6-0 to: (1) find reason to believe that BARNES & THORNBURG POLITICAL ACTION COMMITTEE, and KOENIG, JOHN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2308 Decided by a vote of 6-0 to: (1) find reason to believe that BGR PAC, and GRIFFITH, LANNY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2309 Decided by a vote of 6-0 to: (1) find reason to believe that BORDER HEALTH FEDERAL PAC, and PEREZ, ERNIE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2310 Decided by a vote of 6-0 to: (1) find reason to believe that BOYD GAMING POLITICAL ACTION COMMITTEE, and DARNOLD, RICK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter.

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Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2311 Decided by a vote of 6-0 to: (1) find reason to believe that BURSON-MARSTHLLER/YOUNG & RUBICAM POLITICAL ACTION COMMITTEE, and OGLESBY, M. B. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2313 Decided by a vote of 6-0 to: (1) find reason to believe that COMMONWEALTH BRANDS INC. EMPLOYEE PAC, and MARY, LOVEALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2314 Decided by a vote of 6-0 to: (1) find reason to believe that CONSERVATIVE VICTORY COMMITTEE, and LEIF E NOREN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2315 Decided by a vote of 6-0 to: (1) find reason to believe that CONSOLIDATED EDISON INC EMPLOYEES' POLITICAL ACTION COMMITTEE (CEIPAC), and MUCCILO, ROBERT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2316 Decided by a vote of 6-0 to: (1) find reason to believe that CONTINUING AMERICA'S STRENGTH AND SECURITY PAC, and STEPHENS, RALPH J. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2317 Decided by a vote of 6-0 to: (1) find reason to believe that COVINGTON AND BURLING LLP PAC, and DEARMONT, RODERICK A. ESQ. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2318 Decided by a vote of 6-0 to: (1) find reason to believe that DIRECT SELLING ASSOCIATION POLITICAL ACTION COMMITTEE, and MARIANO, JOSEPH N. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2319 Decided by a vote of 6-0 to: (1) find reason to believe that EMERGENT BIOSOLUTIONS INC EMPLOYEES PAC, and MORAN, THOMAS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2320 Decided by a vote of 6-0 to: (1) find reason to believe that EXPEDIA INC POLITICAL ACTION COMMITTEE, and BRENT THOMPSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2321 Decided by a vote of 6-0 to: (1) find reason to believe that FAMILY-PAC FEDERAL, and D PAUL CAPRIO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2322 Decided by a vote of 6-0 to: (1) find reason to believe that FULTON FINANCIAL CORPORATION PAC, and MICHAEL J DEPORTER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2323 Decided by a vote of 6-0 to: (1) find reason to believe that GIBSON DUNN & CRUTCHER LLP PAC, and CHARLES F WOODHOUSE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter.

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Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2324 Decided by a vote of 6-0 to: (1) find reason to believe that HEARPAC OF HEARING INDUSTRIES ASSOCIATION, and RUZICKA, IFROME as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2325 Decided by a vote of 6-0 to: (1) find reason to believe that ILLINOIS POLITICAL ACTIVE LETTER CARRIERS, and HENIFF, JACK MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2326 Decided by a vote of 6-0 to: (1) find reason to believe that INDIANA DENTAL PAC, and MADDOX, RAYMOND as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2327 Decided by a vote of 6-0 to: (1) find reason to believe that INTERNATIONAL ASSOCIATION OF HOLIDAY INNS INN-PAC, and FERGUSON, EVA MS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2328 Decided by a vote of 6-0 to: (1) find reason to believe that INTERNATIONAL SECURITIES EXCHANGE PAC, and COOPERMAN, BRUCE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2329 Decided by a vote of 6-0 to: (1) find reason to believe that IUOE OPERATING ENGINEERS, and JAMES JONES as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2330 Decided by a vote of 6-0 to: (1) find reason to believe that MAJORITY INITIATIVE TO KEEP ELECTING REPUBLICANS FUND A.K.A MIKE R FUND,

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and CARLIN, ROBERT F as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2331 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC, and HARRIS, MICHAEL F. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2332 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION OF MORTGAGE BROKERS, and RIESTERER, RYAN C. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2333 Decided by a vote of 6-0 to: (1) find reason to believe that NEW ASURION CORP. EMPLOYEES FEDERAL POLITICAL ACTION COMMITTEE, and AIN, MIKE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2334 Decided by a vote of 6-0 to: (1) find reason to believe that NEWFIELD EXPLORATION COMPANY POLITICAL ACTION COMMITTEE (NEWFIELD PAC), and RIGGS, SUSAN G. MRS. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2335 Decided by a vote of 6-0 to: (1) find reason to believe that PMI MORTGAGE INSURANCE COMPANY FEDERAL PAC, and CHANG, RAY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2336 Decided by a vote of 6-0 to: (1) find reason to believe that SEABOARD CORPORATION POLITICAL ACTION COMMITTEE, and DAVID M DANNOV as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate

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letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2337 Decided by a vote of 6-0 to: (1) find reason to believe that STINSON MORRISON HECKER POLITICAL ACTION COMMITTEE PAC, and PHILLIP L FRAAS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2338 Decided by a vote of 6-0 to: (1) find reason to believe that SUFFOLK COUNTY DETECTIVES ASSN INC., POLITICAL ACTION COMMITTEE, and WILLIAM RATHJEN, TREASURER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2339 Decided by a vote of 6-0 to: (1) find reason to believe that THE RECORDING INDUSTRY ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE, and GLAZIER, MITCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2340 Decided by a vote of 6-0 to: (1) find reason to believe that UNITEDHEALTH GROUP INCORPORATED PAC (UNITED FOR HEALTH), and SHERWOOD SUSAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2341 Decided by a vote of 6-0 to: (1) find reason to believe that WATERPAC - NATIONAL RURAL WATER ASSOCIATION POLITICAL COMMITTEE, and JOHNSON, ROBERT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2342 Decided by a vote of 6-0 to: (1) find reason to believe that WESTERN ENERGY ALLIANCE PAC, and SGAMMA, KATHLEEN M as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
Certification for Administrative Fines  
March 11, 2011

Page 11

Attest:

March 14, 2011  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 14, 2011

Ray Chang, in official capacity as Treasurer  
PMI Mortgage Insurance Company Federal PAC  
3003 Oak Road  
Walnut Creek, CA 94597

C00347112  
AF#: 2335

Dear Mr. Chang:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report is required if your committee makes a contribution to or expenditure on behalf of a candidate in the general election. This report, covering the period through October 13, 2010, shall be filed no later than October 21, 2010. 2 U.S.C. § 434(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed prior to four (4) days before the General Election held on November 2, 2010, it is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On March 11, 2011, the FEC found that there is reason to believe ("RTB") that PMI Mortgage Insurance Company Federal PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before October 21, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$990. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$990 is due within forty (40) days of the finding, or by April 20, 2011, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$13,000

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the General Election held on November 2, 2010 are considered not filed for the purpose of calculating the civil money penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

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### 1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or April 20, 2011. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(b). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

### 2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that PMI Mortgage Insurance Company Federal PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection

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Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Cynthia L. Bauerly  
Chair

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money ~~penalty~~ calculated at RTB is \$990 for the 2010 Pre-General Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by April 20, 2011. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: PMI Mortgage Insurance Company Federal PAC

FEC ID#: C00347112

AF#: 2335

PAYMENT DUE DATE: April 20, 2011

PAYMENT AMOUNT DUE: \$990

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 21, 2011

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer  
Acting Staff Director

FROM: Patricia Carmona *PC*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Jodi Winship/Sari Pickerall *JP*  
Compliance Branch

SUBJECT: Administrative Fine Program - Final Determination Recommendation for the  
2010 12 Day Pre-General Report (Unauthorized Committees-Quarterly Filers)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2010 12 Day Pre-General Report (Unauthorized Committees-Quarterly Filers). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, Indiana Dental PAC (AF 2326) filed an amended 2010 30 Day Post-General Report which included the coverage dates for the 12 Day Pre-General Report (10/1/2010 to 10/13/2010) after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$2,768 (previously estimated to be \$5,768), thus the fine would be lowered from \$660 to \$550.

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**RAD Recommendation**

- (1) Make final determination that the political committees and their treasurers listed on the attached reports violated 2 U.S.C. § 434(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

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Federal Election Commission  
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2010 PRE-GENERAL Election Sensitive 10/21/2010 UNAUTH\_Q

| AF#  | Committee Name   | Candidate Name | Committee ID | Treasurer                  | Receipt Date | Days Late | LOA      | FV | RTS Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|--|----------------|--------------|----------------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 2301 | ACE CASH EXPRESS INC PAC   |                | C00392290    | DAVID DODSON               | 01/28/2011   | Not Filed | \$3,612  | 1  | 03/11/2011 | \$687       | \$687               | 04/25/2011 | \$687       |
| 2302 | ALLIANT ENERGY CORPORATION<br>EMPLOYEE'S POLITICAL ACTION COMM                             |                | C00132092    | KATHRYN J. BARNETT         | 11/29/2010   | Not Filed | \$3,338  | 0  | 03/11/2011 | \$550       | \$550               | 04/22/2011 | \$550       |
| 2303 | AMERICAN ASSN. FOR MARRIAGE & FAMILY THERAPY COMM.<br>ADVNCMNT OF MARITAL & FAMILY THERAPY |                | C00198259    | TRACY TODD                 | 12/10/2010   | Not Filed | \$1,000  | 0  | 03/11/2011 | \$550       | \$550               | 04/18/2011 | \$550       |
| 2305 | AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC              |                | C00161570    | MICHELLE LYNN CHANDLER     | 12/07/2010   | Not Filed | \$1,396  | 1  | 03/11/2011 | \$687       | \$687               | 04/19/2011 | \$687       |
| 2306 | ASPLUNDH TREE EXPERT CO POLITICAL ACTION COMMITTEE (ATE PAC)                               |                | C00177741    | JOSEPH P. DWYER            | 12/28/2010   | Not Filed | \$39,600 | 0  | 03/11/2011 | \$1,400     | \$1,400             | 04/19/2011 | \$1,400     |
| 2307 | BARNES & THORNBURG POLITICAL ACTION COMMITTEE  |                | C00395947    | JOHN KOENIG                | 11/30/2010   | Not Filed | \$7,606  | 0  | 03/11/2011 | \$680       | \$680               | 03/31/2011 | \$680       |
| 2308 | BORDER HEALTH FEDERAL BGR PAC  |                | C00359588    | LANNY GRIFFITH             | 12/02/2010   | Not Filed | \$2,203  | 0  | 03/11/2011 | \$550       | \$550               | 04/19/2011 | \$550       |
| 2309 | BURSON-MARSTELLER/YOUNG & RUBICAM/PRIME POLICY GROUP POLITICAL ACTION COMMITTEE            |                | C00415752    | ERNIE PEREZ                | 12/02/2010   | Not Filed | \$7,679  | 1  | 03/11/2011 | \$825       | \$825               | 04/21/2011 | \$825       |
| 2311 | COMMONWEALTH BRANDS INC. EMPLOYEE PAC  |                | C00201863    | M. B. OGLESBY, JR.         | 11/29/2010   | Not Filed | \$4,500  | 0  | 03/11/2011 | \$550       | \$550               | 03/22/2011 | \$550       |
| 2313 | CONSERVATIVE VICTORY COMMITTEE   |                | C00455800    | MARY LOVEALL               | 12/02/2010   | Not Filed | \$25,180 | 0  | 03/11/2011 | \$1,400     | \$1,400             | 05/18/2011 | \$1,400     |
| 2314 | CONSOLIDATED EDISON INC EMPLOYEES' POLITICAL ACTION COMMITTEE (CEIPAC)                     |                | C00218172    | LEIF E. NOREN              | 12/06/2010   | Not Filed | \$3,379  | 0  | 03/11/2011 | \$550       | \$550               | 03/25/2011 | \$550       |
| 2315 | CONTINUING AMERICA'S STRENGTH AND SECURITY PAC   |                | C00407535    | ROBERT MUCCILO             | 12/08/2010   | Not Filed | \$6,100  | 0  | 03/11/2011 | \$680       | \$680               | 04/19/2011 | \$680       |
| 2316 | COVINGTON AND BURLING LLP PAC  |                | C00480228    | RALPH J. STEPHENS          | 01/31/2011   | Not Filed | \$9,640  | 0  | 03/11/2011 | \$680       | \$680               | 04/04/2011 | \$680       |
| 2317 | DIRECT SELLING ASSOCIATION POLITICAL ACTION COMMITTEE                                      |                | C00462830    | RODERICK A. DEARMONT, ESQ. | 12/01/2010   | Not Filed | \$16,574 | 0  | 03/11/2011 | \$990       | \$990               | 04/18/2011 | \$990       |
| 2318 | EMERGENT BIOSOLUTIONS INC EMPLOYEES PAC  |                | C00078535    | JOSEPH N. MARIANO          | 01/04/2011   | Not Filed | \$9,500  | 0  | 03/11/2011 | \$680       | \$680               | 04/14/2011 | \$680       |
| 2319 |  |                | C00380303    | THOMAS MORAN               | 12/03/2010   | Not Filed | \$7,102  | 0  | 03/11/2011 | \$680       | \$680               | 04/11/2011 | \$680       |

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| AP#  | Committee Name   | Candidate Name | Committee ID | Treasurer            | Receipt Date | Days Late | LOA      | PV | RTB Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|--|----------------|--------------|----------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 2320 | EXPEDIA INC POLITICAL ACTION COMMITTEE                                   |                | C00462879    | BRENT THOMPSON       | 12/07/2010   | Not Filed | \$1,012  | 0  | 03/11/2011 | \$550       | \$550               | 03/28/2011 | \$550       |
| 2321 | FAMILY-PAC FEDERAL FULTON FINANCIAL CORPORATION PAC                      |                | C00362776    | D. PAUL CAPRIO       | 12/27/2010   | Not Filed | \$7,331  | 1  | 03/11/2011 | \$825       | \$825               | 04/14/2011 | \$825       |
| 2322 | GIBSON DUNN & CRUTCHER LLP PAC   |                | C00400317    | MICHAEL J. DEPORTER  | 12/23/2010   | Not Filed | \$5,208  | 0  | 03/11/2011 | \$660       | \$660               | 04/18/2011 | \$660       |
| 2323 | HEARPAC OF HEARING INDUSTRIES ASSOCIATION                                |                | C00344754    | CHARLES E. WOODHOUSE | 12/01/2010   | Not Filed | \$5,000  | 0  | 03/11/2011 | \$660       | \$660               | 04/01/2011 | \$660       |
| 2324 | ILLINOIS POLITICAL ACTIVE LETTER CARRIERS                                |                | C00437798    | JEROME RUZICKA       | 01/04/2011   | Not Filed | \$3,500  | 0  | 03/11/2011 | \$550       | \$550               | 04/19/2011 | \$550       |
| 2325 | INTERNATIONAL ASSOCIATION OF HOLIDAY INNS INN-PAC                        |                | C00284689    | JACK HENIFF          | 11/24/2010   | Not Filed | \$5,411  | 0  | 03/11/2011 | \$660       | \$660               | 03/24/2011 | \$660       |
| 2327 | INTERNATIONAL INNS INN-PAC   |                | C00084822    | EVA FERGUSON         | 12/02/2010   | Not Filed | \$6,755  | 0  | 03/11/2011 | \$660       | \$660               | 04/05/2011 | \$660       |
| 2328 | SECURITIES EXCHANGE PAC  |                | C00382226    | BRUCE COOPERMAN      | 01/05/2011   | Not Filed | \$10,500 | 0  | 03/11/2011 | \$990       | \$990               | 03/17/2011 | \$990       |
| 2329 | UIOE OPERATING ENGINEERS   |                | C00135739    | JAMES JONES          | 12/08/2010   | Not Filed | \$43,040 | 0  | 03/11/2011 | \$1,400     | \$1,400             | 04/21/2011 | \$1,400     |
| 2330 | MAJORITY INITIATIVE TO KEEP ELECTING REPUBLICANS FUND A.K.A. MIKE R FUND |                | C00370791    | ROBERT F. CARLIN     | 12/02/2010   | Not Filed | \$32,194 | 0  | 03/11/2011 | \$1,400     | \$1,400             | 03/24/2011 | \$1,400     |
| 2331 | NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC                          |                | C00088348    | MICHAEL F. HARRIS    | 11/30/2010   | Not Filed | \$4,884  | 1  | 03/11/2011 | \$687       | \$687               | 08/13/2011 | \$687       |
| 2332 | NATIONAL ASSOCIATION OF MORTGAGE BROKERS                                 |                | C00254201    | RYAN C. RIESTERER    | 12/02/2010   | Not Filed | \$5,000  | 0  | 03/11/2011 | \$660       | \$660               | 04/21/2011 | \$660       |
| 2333 | NEW ASURION CORP. EMPLOYEES FEDERAL POLITICAL ACTION COMMITTEE           |                | C00450916    | MIKE AIN             | 12/02/2010   | Not Filed | \$2,500  | 0  | 03/11/2011 | \$550       | \$550               | 04/19/2011 | \$550       |
| 2334 | NEWFIELD EXPLORATION COMPANY POLITICAL ACTION COMMITTEE (NEWFIELD PAC)   |                | C00443523    | SUSAN G. RIGGS       | 12/01/2010   | Not Filed | \$42,500 | 0  | 03/11/2011 | \$1,400     | \$1,400             | 04/19/2011 | \$1,400     |
| 2336 | SEABOARD CORPORATION POLITICAL ACTION COMMITTEE                          |                | C00248736    | DAVID M. DANINOV     | 12/29/2010   | Not Filed | \$2,439  | 0  | 03/11/2011 | \$550       | \$550               | 04/22/2011 | \$550       |
| 2337 | STINSON MORRISON HECKER POLITICAL ACTION COMMITTEE PAC                   |                | C00459065    | PHILLIP L. FRAAS     | 12/08/2010   | Not Filed | \$2,250  | 0  | 03/11/2011 | \$550       | \$550               | 04/14/2011 | \$550       |
| 2338 | SUFFOLK COUNTY DETECTIVES ASSN INC., POLITICAL ACTION COMMITTEE          |                | C00278788    | WILLIAM RATHJEN      | 12/26/2010   | Not Filed | \$15,861 | 1  | 03/11/2011 | \$1,237     | \$1,237             | 04/18/2011 | \$1,237     |
| 2339 | THE RECORDING INDUSTRY ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE |                | C00009357    | MITCH GLAZIER        | 01/10/2011   | Not Filed | \$17,500 | 0  | 03/11/2011 | \$990       | \$990               | 04/18/2011 | \$990       |
| 2340 | UNITEDHEALTH GROUP INCORPORATED PAC (UNITED FOR HEALTH)                  |                | C00274431    | SUSAN SHERWOOD       | 12/08/2010   | Not Filed | \$36,619 | 0  | 03/11/2011 | \$1,400     | \$1,400             | 03/30/2011 | \$1,400     |

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| AF#  | Committee Name   | Candidate Name | Committee ID | Treasurer      | Receipt Date | Days Late | LOA      | PV | RTB Date   | RTB Penalty | Final Money Penalty | Date Paid  | Amount Paid |
|------|--|----------------|--------------|----------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 2341 | WATERPAC - NATIONAL<br>RURAL WATER<br>ASSOCIATION POLITICAL<br>COMMITTEE |                | C00202184    | ROBERT JOHNSON | 12/02/2010   | Not Filed | \$17,853 | 0  | 03/11/2011 | \$660       | \$660               | 04/20/2011 | \$660       |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fine Program - Final )  
Determination Recommendation for the )  
2010 12 Day Pre-General Report )  
(Unauthorized Committees-Quarterly )  
Filers): )  
ACE CASH EXPRESS INC PAC, and ) AF# 2301  
DAVID DODSON as treasurer; )  
ALLIANT ENERGY CORPORATION ) AF# 2302  
EMPLOYEE'S POLITICAL ACTION )  
COMM, and BARNETT, KATHRYN J as )  
treasurer; )  
AMERICAN ASSN. FOR MARRIAGE & ) AF# 2303  
FAMILY THERAPY COMM. )  
ADVNCMNT OF MARITAL & FAMILY )  
THERAPY, and TODD, TRACY as )  
treasurer; )  
AMERICAN PUBLIC POWER ) AF# 2305  
ASSOCIATION, PUBLIC OWNERSHIP )  
OF ELECTRIC RESOURCES PAC, and )  
CHANDLER, MICHELLE LYNN as )  
treasurer; )  
ASPLUNDH TREE EXPERT CO ) AF# 2306  
POLITICAL ACTION COMMITTEE )  
(ATE PAC), and DWYER, JOSEPH P as )  
treasurer; )  
BARNES & THORNBURG POLITICAL ) AF# 2307  
ACTION COMMITTEE, and KOENIG, )  
JOHN as treasurer; )  
BORDER HEALTH FEDERAL PAC, and ) AF# 2309  
PEREZ, ERNIE as treasurer; )  
BURSON-MARSTELLER/YOUNG & ) AF# 2311  
RUBICAM/PRIME POLICY GROUP )  
POLITICAL ACTION COMMITTEE, and )  
M. B. OGLESBY JR. as treasurer; )

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|                                   |   |          |
|-----------------------------------|---|----------|
| COMMONWEALTH BRANDS INC.          | ) | AF# 2313 |
| EMPLOYEE PAC, and MARY, LOVEALL   | ) |          |
| as treasurer;                     | ) |          |
| CONSERVATIVE VICTORY              | ) | AF# 2314 |
| COMMITTEE, and LEIF E NOREN as    | ) |          |
| treasurer;                        | ) |          |
| CONSOLIDATED EDISON INC           | ) | AF# 2315 |
| EMPLOYEES' POLITICAL ACTION       | ) |          |
| COMMITTEE (CEIPAC), and MUCCILO,  | ) |          |
| ROBERT as treasurer;              | ) |          |
| CONTINUING AMERICA'S STRENGTH     | ) | AF# 2316 |
| AND SECURITY PAC, and STEPHENS,   | ) |          |
| RALPH J. as treasurer;            | ) |          |
| COVINGTON AND BURLING LLP PAC,    | ) | AF# 2317 |
| and DEARMENT, RODERICK A. ESQ. as | ) |          |
| treasurer;                        | ) |          |
| DIRECT SELLING ASSOCIATION        | ) | AF# 2318 |
| POLITICAL ACTION COMMITTEE, and   | ) |          |
| MARIANO, JOSEPH N. as treasurer;  | ) |          |
| EMERGENT BIOSOLUTIONS INC         | ) | AF# 2319 |
| EMPLOYEES PAC, and MORAN,         | ) |          |
| THOMAS as treasurer;              | ) |          |
| EXPEDIA INC POLITICAL ACTION      | ) | AF# 2320 |
| COMMITTEE, and BRENT THOMPSON     | ) |          |
| as treasurer;                     | ) |          |
| FAMILY-PAC FEDERAL, and D PAUL    | ) | AF# 2321 |
| CAPRIO as treasurer;              | ) |          |
| FULTON FINANCIAL CORPORATION      | ) | AF# 2322 |
| PAC, and MICHAEL J DEPORTER as    | ) |          |
| treasurer;                        | ) |          |
| GIBSON DUNN & CRUTCHER LLP        | ) | AF# 2323 |
| PAC, and CHARLES E WOODHOUSE as   | ) |          |
| treasurer;                        | ) |          |
| HEARPAC OF HEARING INDUSTRIES     | ) | AF# 2324 |
| ASSOCIATION, and RUZICKA, JEROME  | ) |          |
| as treasurer;                     | ) |          |
| ILLINOIS POLITICAL ACTIVE LETTER  | ) | AF# 2325 |
| CARRIERS, and HENIFF, JACK MR. as | ) |          |
| treasurer;                        | ) |          |
| INDIANA DENTAL PAC, and MADDUX,   | ) | AF# 2326 |
| RAYMOND as treasurer;             | ) |          |
| INTERNATIONAL ASSOCIATION OF      | ) | AF# 2327 |
| HOLIDAY INNS INN-PAC, and         | ) |          |
| FERGUSON, EVA MS as treasurer;    | ) |          |

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|   |   |          |
|---|---|----------|
| INTERNATIONAL SECURITIES<br>EXCHANGE PAC, and COOPERMAN,<br>BRUCE as treasurer; | ) | AF# 2328 |
| IUOE OPERATING ENGINEERS, and   | ) | AF# 2329 |
| JAMES JONES as treasurer;   | ) |          |
| MAJORITY INITIATIVE TO KEEP   | ) | AF# 2330 |
| ELECTING REPUBLICANS FUND A.K.A   | ) |          |
| MIKE R FUND, and CARLIN, ROBERT F   | ) |          |
| as treasurer;   | ) |          |
| NATIONAL ASSOCIATION FOR  | ) | AF# 2331 |
| UNIFORMED SERVICES PAC, and   | ) |          |
| HARRIS, MICHAEL F. as treasurer;  | ) |          |
| NATIONAL ASSOCIATION OF   | ) | AF# 2332 |
| MORTGAGE BROKERS, and   | ) |          |
| RIESTERER, RYAN C. as treasurer;  | ) |          |
| NEW ASURION CORP. EMPLOYEES   | ) | AF# 2333 |
| FEDERAL POLITICAL ACTION  | ) |          |
| COMMITTEE, and AIN, MIKE as   | ) |          |
| treasurer;  | ) |          |
| NEWFIELD EXPLORATION COMPANY  | ) | AF# 2334 |
| POLITICAL ACTION COMMITTEE  | ) |          |
| (NEWFIELD PAC), and RIGGS, SUSAN  | ) |          |
| G. MRS. as treasurer;   | ) |          |
| PMI MORTGAGE INSURANCE  | ) | AF# 2335 |
| COMPANY FEDERAL PAC, and  | ) |          |
| CHANG, RAY as treasurer;  | ) |          |
| SEABOARD CORPORATION  | ) | AF# 2336 |
| POLITICAL ACTION COMMITTEE, and   | ) |          |
| DAVID M DANNOV as treasurer;  | ) |          |
| STINSON MORRISON HECKER   | ) | AF# 2337 |
| POLITICAL ACTION COMMITTEE PAC,   | ) |          |
| and PHILLIP L FRAAS as treasurer;   | ) |          |
| SUFFOLK COUNTY DETECTIVES   | ) | AF# 2338 |
| ASSN INC., POLITICAL ACTION   | ) |          |
| COMMITTEE, and WILLIAM RATHJEN,   | ) |          |
| TREASURER as treasurer;   | ) |          |
| THE RECORDING INDUSTRY  | ) | AF# 2339 |
| ASSOCIATION OF AMERICA  | ) |          |
| POLITICAL ACTION COMMITTEE, and   | ) |          |
| GLAZIER, MITCH as treasurer;  | ) |          |
| UNITEDHEALTH GROUP  | ) | AF# 2340 |
| INCORPORATED PAC (UNITED FOR  | ) |          |
| HEALTH), and SHERWOOD SUSAN as  | ) |          |
| treasurer;  | ) |          |

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WATERPAC - NATIONAL RURAL ) AF# 2341  
WATER ASSOCIATION POLITICAL )  
COMMITTEE, and JOHNSON, ROBERT )  
as treasurer; )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 23, 2011 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2010 12 Day Pre-General Report (Unauthorized Committees-Quarterly Filers) as recommended in the Reports Analysis Division's Memorandum dated June 21, 2011, on the following committees:

AF#2301 Decided by a vote of 6-0 to: (1) make a final determination that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2302 Decided by a vote of 6-0 to: (1) make a final determination that ALLIANT ENERGY CORPORATION EMPLOYEE'S POLITICAL ACTION COMM, and BARNETT, KATHRYN J as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2303 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN ASSN. FOR MARRIAGE & FAMILY THERAPY COMM. ADVNCMNT OF MARITAL & FAMILY THERAPY, and TODD, TRACY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2305 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF

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ELECTRIC RESOURCES PAC, and CHANDLER, MICHELLE LYNN as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2306 Decided by a vote of 6-0 to: (1) make a final determination that ASPLUNDH TREE EXPERT CO POLITICAL ACTION COMMITTEE (ATE PAC), and DWYER, JOSEPH P as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2307 Decided by a vote of 6-0 to: (1) make a final determination that BARNES & THORNBURG POLITICAL ACTION COMMITTEE, and KOENIG, JOHN as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2309 Decided by a vote of 6-0 to: (1) make a final determination that BORDER HEALTH FEDERAL PAC, and PEREZ, ERNIE as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2311 Decided by a vote of 6-0 to: (1) make a final determination that BURSON-MARSTELLER/YOUNG & RUBICAM/PRIME POLICY GROUP POLITICAL ACTION COMMITTEE, and M. B. OGLESBY JR. as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2313 Decided by a vote of 6-0 to: (1) make a final determination that COMMONWEALTH BRANDS INC. EMPLOYEE PAC, and MARY, LOVEBALL as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2314 Decided by a vote of 6-0 to: (1) make a final determination that CONSERVATIVE VICTORY COMMITTEE, and LEIF E NOREN as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2315 Decided by a vote of 6-0 to: (1) make a final determination that CONSOLIDATED EDISON INC EMPLOYEES' POLITICAL ACTION COMMITTEE

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(CEIPAC), and MUCCILO, ROBERT as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2316 Decided by a vote of 6-0 to: (1) make a final determination that CONTINUING AMERICA'S STRENGTH AND SECURITY PAC, and STEPHENS, RALPH J. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2317 Decided by a vote of 6-0 to: (1) make a final determination that COVINGTON AND BURLING LLP PAC, and DEARMONT, RODERICK A. ESQ. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2318 Decided by a vote of 6-0 to: (1) make a final determination that DIRECT SELLING ASSOCIATION POLITICAL ACTION COMMITTEE, and MARIANO, JOSEPH N. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2319 Decided by a vote of 6-0 to: (1) make a final determination that EMERGENT BIOSOLUTIONS INC EMPLOYEES PAC, and MORAN, THOMAS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2320 Decided by a vote of 6-0 to: (1) make a final determination that EXPEDIA INC POLITICAL ACTION COMMITTEE, and BRENT THOMPSON as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2321 Decided by a vote of 6-0 to: (1) make a final determination that FAMILY-PAC FEDERAL, and D PAUL CAPRIO as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2322 Decided by a vote of 6-0 to: (1) make a final determination that FULTON FINANCIAL CORPORATION PAC, and MICHAEL J DEPORTER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send

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the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2323 Decided by a vote of 6-0 to: (1) make a final determination that GIBSON DUNN & CRUTCHER LLP PAC, and CHARLES E WOODHOUSE as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2324 Decided by a vote of 6-0 to: (1) make a final determination that HEARPAC OF HEARING INDUSTRIES ASSOCIATION, and RUZICKA, JEROME as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2325 Decided by a vote of 6-0 to: (1) make a final determination that ILLINOIS POLITICAL ACTIVE LETTER CARRIERS, and HENIFF, JACK MR. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2326 Decided by a vote of 6-0 to: (1) make a final determination that INDIANA DENTAL PAC, and MADDOX, RAYMOND as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2327 Decided by a vote of 6-0 to: (1) make a final determination that INTERNATIONAL ASSOCIATION OF HOLIDAY INNS INN-PAC, and FERGUSON, EVA MS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2328 Decided by a vote of 6-0 to: (1) make a final determination that INTERNATIONAL SECURITIES EXCHANGE PAC, and COOPERMAN, BRUCE as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2329 Decided by a vote of 6-0 to: (1) make a final determination that IUOE OPERATING ENGINEERS, and JAMES JONES as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2330 Decided by a vote of 6-0 to: (1) make a final determination that MAJORITY INITIATIVE TO KEEP ELECTING REPUBLICANS FUND A.K.A MIKE R FUND, and CARLIN, ROBERT F as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2331 Decided by a vote of 6-0 to: (1) make a final determination that NATIONAL ASSOCIATION FOR UNIFORMED SERVICES PAC, and HARRIS, MICHAEL F. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2332 Decided by a vote of 6-0 to: (1) make a final determination that NATIONAL ASSOCIATION OF MORTGAGE BROKERS, and RIBESTERER, RYAN C. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2333 Decided by a vote of 6-0 to: (1) make a final determination that NEW ASURION CORP. EMPLOYEES FEDERAL POLITICAL ACTION COMMITTEE, and AIN, MIKE as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2334 Decided by a vote of 6-0 to: (1) make a final determination that NEWFIELD EXPLORATION COMPANY POLITICAL ACTION COMMITTEE (NEWFIELD PAC), and RIGGS, SUSAN G. MRS. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2335 Decided by a vote of 6-0 to: (1) make a final determination that PMI MORTGAGE INSURANCE COMPANY FEDERAL PAC, and CHANG, RAY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2336 Decided by a vote of 6-0 to: (1) make a final determination that SEABOARD CORPORATION POLITICAL ACTION COMMITTEE, and DAVID M DANNOV as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2337 Decided by a vote of 6-0 to: (1) make a final determination that STINSON MORRISON HECKER POLITICAL ACTION COMMITTEE PAC, and PHILLIP L FRAAS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2338 Decided by a vote of 6-0 to: (1) make a final determination that SUFFOLK COUNTY DETECTIVES ASSN INC., POLITICAL ACTION COMMITTEE, and WILLIAM RATHJEN, TREASURER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2339 Decided by a vote of 6-0 to: (1) make a final determination that THE RECORDING INDUSTRY ASSOCIATION OF AMERICA POLITICAL ACTION COMMITTEE, and GLAZIER, MITCH as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2340 Decided by a vote of 6-0 to: (1) make a final determination that UNITEDHEALTH GROUP INCORPORATED PAC (UNITED FOR HEALTH), and SHERWOOD SUSAN as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2341 Decided by a vote of 6-0 to: (1) make a final determination that WATERPAC - NATIONAL RURAL WATER ASSOCIATION POLITICAL COMMITTEE, and JOHNSON, ROBERT as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 24, 2011  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 24, 2011

Ray Chang, in official capacity as Treasurer  
PMI Mortgage Insurance Company Federal PAC  
3003 Oak Road  
Walnut Creek, CA 94597

C00347112  
AF#: 2335

Dear Mr. Chang:

On March 11, 2011, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that PMI Mortgage Insurance Company Federal PAC and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2010 Pre-General Report. By letter dated March 14, 2011, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$990 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. Within 40 days of the FEC's RTB finding, its treasurer was required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on June 23, 2011 that you, in your official capacity as treasurer, and PMI Mortgage Insurance Company Federal PAC violated 2 U.S.C. § 434(a) and assessed a civil money penalty in the amount of \$990 in accordance with 11 C.F.R. § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Election Sensitive  
Level of Activity: \$13,000

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the General Election held on November 2, 2010 considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise

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an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

**2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,



Cynthia L. Bauerly  
Chair

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## **ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$990 for the 2010 Pre-General Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

### **Payments by Personal Check**

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: PMI Mortgage Insurance Company Federal PAC

FEC ID#: C00347112

AF#: 2335

PAYMENT AMOUNT DUE: \$990

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PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: PMI Mortgage Insurance Company Federal PAC

FEC ID#: C00347112

AF#: 2335

PAYMENT AMOUNT DUE: \$990

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 001 \$ 0000099000 BA# 2 08-05-11 20 4



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us bancorp.  
The Bancorp. Company

|  |                  |            |
|--|------------------|------------|
| <b>PMI MORTGAGE INSURANCE CO.<br/>FEDERAL PAC</b><br>3005 OAK RD.<br>WALNUT CREEK, CA 94597          |                  | 1340       |
| Date <u>August 3, 2011</u>   |                  | 11-05/1210 |
| Pay to the<br>Order of <u>Federal Election Commission</u>  | \$ <u>990.00</u> |            |
| <u>Nine hundred ninety dollars</u> <sup>00</sup> / <sub>100</sub>                                    |                  | Dollars    |
| <b>Bank of America</b><br>San Francisco Main<br>345 Montgomery St.<br>San Francisco CA<br>94104-4700 |                  |            |
| For <u>FEC ID# C00347112</u>   |                  |            |
|  |                  |            |
|  |                  |            |





FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2335

DATE SCANNED

9/9/11

SCANNER NO.

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SCAN OPERATOR

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